

OWEN, WICKERSHAM & ERICKSON, P.C.
GREGORY N. OWEN CBN 122825
NOEL M. COOK CBN 122777
EMILY K. POOLE CBN 301857
455 Market Street, Suite 1910
San Francisco, California 94105
Telephone: 415.882.3200
Facsimile: 415.882.3232
Email: gowen@owe.com
Email: ncook@owe.com
Email: epoole@owe.com

Attorneys for Plaintiff
The Masters of Beverages, LLC dba Spider Energy

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE MASTERS OF BEVERAGES, LLC
DBA SPIDER ENERGY,

Plaintiff,

vs.

DR PEPPER/SEVEN UP, INC.;
DR PEPPER SNAPPLE GROUP, INC.,

Defendants.

Case No. 15-cv-03925-JCS

***EX PARTE REQUEST AND [PROPOSED]
ORDER TO EXTEND TIME TO SERVE
SUMMONS AND COMPLAINT
LOCAL RULE 6-1(b)***

Plaintiff The Masters of Beverages, LLC dba Spider Energy hereby requests a thirty (30) day extension of time to serve its Complaint and Summons.

Plaintiff has not yet served Defendants Dr Pepper/Seven Up, Inc. and Dr Pepper Snapple Group, Inc. with the Complaint and Summons in this case because the parties have been actively engaged in settlement discussions. These settlement discussions have resulted in a settlement in principle. The parties are currently preparing the written settlement agreement and expect to complete the settlement soon. The deadline by which Plaintiff must serve the Summons and Complaint is December 25, 2015.

Accordingly, Plaintiff The Masters of Beverages, LLC dba Spider Energy requests a thirty (30) day extension of time, to and including **January 24, 2016**, to serve its Summons and

1 Complaint. Other dates scheduled by the Court will not be affected.

2 Plaintiff did not obtain a stipulation to the requested continuation because it has not yet
3 effected service upon Defendants, and neither Defendants nor counsel for Defendants have
4 appeared.

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6 Dated: December 22, 2015

OWEN, WICKERSHAM & ERICKSON, P.C.

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8 By /s/ Gregory N. Owen

Gregory N. Owen

Noel M. Cook

Emily K. Poole

Attorneys for Plaintiff

The Masters of Beverages, LLC dba Spider
Energy

[PROPOSED] ORDER

IT IS ORDERED that Plaintiff is granted an additional thirty (30) days in which to serve its Complaint and Summons, up to and including **January 24, 2016**.

Dated: 12/29/15

/s/ Joseph C. Spero

Joseph C. Spero
United States Magistrate Judge

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